IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 6TH DECEMBER 2007 / 15TH AGRAHAYANA 1929

WP(C).No. 26002 of 2007(U)

PETITIONERS:
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1. MODEL PUBLIC SCHOOL, PALLICKAL, MAVELIKKARA, REP. BY ITS MANAGER, KENNY PHILIP JONES, AGED 43 YEARS,S/O.PHILIP JOHNES,RESIDING AT KANDATHIL PEEDIKAYIL, PALLICKAL P.O.,MAVELIKARA,ALLEPPY DISTRICT.

2. SCIENTITST K.P.JONES MEMORIAL EDUCATION AND CHARITABLE TRUST, REP. BY ITS SECRETARY ANNAMMA JONES, W/O.PHILIP JONES, RESIDING AT -DO-.

BY ADV. SRI.MOHAN JACOB GEORGE
SMT.P.V.PARVATHI
SMT.REENA THOMAS
SRI.L.RAM MOHAN

RESPONDENTS:
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1. STATE OF KERALA REPRESENTED BY THE SECRETARY TO GOVERNMENT, GENERAL EDUCATION DEPARTMENT,GOVERNMENT OF KERALA,THIRUVANANTHAPURAM

2. THE DIRECTOR OF PUBLIC INSTRUCTION, JAGATHY,THIRUVANANTHAPURAM.

3. THE DISTRICT EDUCATIONAL OFFICER, MAVELIKARA.

BY GOVERNMENT PLEADER SMT. M.R. SREELATHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.26002 OF 2007

APPENDIX

PETITIONERS' EXHIBITS

EXT.P1: COPY OF BYE-LAW.

EXT.P2: COPY OF AFFILIATION OF BYE-LAW.

EXT.P3: COPY OF APPLICATION.

EXT.P3(a): COPY OF CHALLAN DATED 26.7.2006.

EXT.P3(b): COPY OF THE VISIT REPORT OF R3 DATED 31.7.2006.

EXT.P3(c): COPY OF THE REPRESENTATION FORWARDED WITH EXT.P3.

EXT.P3(d): COPY OF APPLICATION FORWARDED TO R2.

EXT.P4: COPY OF LETTER OF R3 DATED 4.8.2006.

EXT.P5: COPY OF LETTER DATED 2.11.2006.

EXT.P6: COPY OF G.O. DATED 13.6.2007.

EXT.P7: COPY OF POSTAL RECEIPT DATED 37.9.2007.

TRUE COPY

PA TO JUDGE.

S. SIRI JAGAN, J.

W.P.(C)No. 26002 OF 2007

Dated this the 6th day of December, 2007

JUDGMENT

In this writ petition, the 1st petitioner seeks consideration of its application for No Objection Certificate from the State Government for affiliation of its School with the Central Board of Secondary Education. The Government had issued fresh guidelines for issuing such No Objection Certificate which guidelines were set aside by a learned Single Judge of this Court in W.P.(C) No.19723/07 and Connected cases. Against that judgment, the Government had filed W.A.No.2563 of 2007 in which the Division Bench did not grant any interim order but directed the Government to consider the applications by similarly placed petitioners in accordance with the guidelines in force prior to the revised guidelines.

2. In the above circumstances, the 1st petitioner in this writ petition has also become entitled to similar consideration. Accordingly, there would be a direction to the Government to consider the application submitted by the 1st petitioner for No

Objection Certificate in respect of its school, as expeditiously as possible, at any rate, within one month from the date of receipt of a copy of this judgment in accordance with the orders in the writ appeal.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

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